

**SUPREME COURT MINUTES  
WEDNESDAY, AUGUST 11, 1999  
SAN FRANCISCO, CALIFORNIA**

S079196 People, Respondent

2nd Dist. v.

B118740 Valerie Bolden, Appellant

Div. 1 Petition for review GRANTED.

Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Tillman*, S077360 (see Cal. Rules of Court, rule 29.2(c)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.3, is deferred pending further order of the court.

George, C.J.

Mosk, J.

Kennard, J.

Baxter, J.

Werdegar, J.

Chin, J.

S079245 People, Respondent  
5th Dist. v.  
F026866 Gary Wayne Willis, Appellant  
Petitions for review GRANTED.

The issues to be argued before this court shall be limited to (1) whether the good faith exception set forth in *United States v. Leon* (1984) 468 U.S. 897 prevents the exclusion of evidence obtained during a parole search based on erroneous information supplied to police that appellant was on parole; and (2) assuming *Leon* does not apply, whether the Court of Appeal was correct that the police could “freeze” the status quo while they determined appellant’s parole status, as a result of which information came to light supplying probable cause to search.

For purposes of briefing and oral argument, respondent is deemed petitioner to this court.

George, C.J.  
Kennard, J.  
Baxter, J.  
Werdegar, J.  
Chin, J.

S079326 People, Respondent  
2nd Dist. v.  
B113676 Gregory Moore, Appellant  
Div. 2 Petition for review GRANTED.

Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Newman*, S072560 (see Cal. Rules of Court, rule 29.2(c)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.3, is deferred pending further order of the court.

George, C.J.  
Mosk, J.  
Kennard, J.  
Baxter, J.  
Werdegar, J.  
Chin, J.

S079363 Patricia Callahan, Appellant  
2nd Dist. v.  
B114948 Mutual Life Insurance Company of New York, Respondent  
Div. 4 Petition for review GRANTED.

Further action in this matter is deferred pending consideration and disposition of a related issue in *Galanty v. Paul Revere Life Insurance Company*, S073678 (see Cal. Rules of Court, rule 29.2(c)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.3, is deferred pending further order of the court.

George, C.J.  
Mosk, J.  
Kennard, J.  
Baxter, J.  
Werdegar, J.  
Chin, J.

S079575 People, Respondent  
3rd Dist. v.  
C028359 Guadalupe Torres, Appellant  
Petition for review GRANTED.

George, C.J.  
Mosk, J.  
Kennard, J.  
Baxter, J.  
Werdegar, J.  
Chin, J.

S079744 People, Respondent  
3rd Dist. v.  
C029877 Samuel Earl Ansell, Jr., Appellant  
Appellant's petition for review GRANTED.

George, C.J.  
Mosk, J.  
Kennard, J.  
Werdegar, J.  
Chin, J.

S079966 People, Respondent  
6th Dist. v.  
H018203 Michael Santiago Carpio, Appellant  
Petition for review GRANTED.

Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Superior Court (Zamudio)*, S073031 (see Cal. Rules of Court, rule 29.2(c)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.3, is deferred pending further order of the court.

George, C.J.  
Mosk, J.  
Kennard, J.  
Baxter, J.  
Werdegar, J.  
Chin, J.

S080176 Steiny and Company, Inc., Respondent  
1st Dist. v.  
A075133 Citicorp Real Estate, Inc., Appellant  
Div. 3 Respondent's petition for review GRANTED.

The issues to be argued before this court shall be limited to (1) whether a bonded stop notice reaches only the funds then existing in the construction loan account and not the amounts previously removed from that account by the lender, pursuant to contract, for

the payment of points and interest to itself and (2) whether the fairness of a business practice alleged to violate Bus. and Prof. Code section 17200 is determined as of the date of the alleged violation even though under subsequent authority the conduct would not violate that section.

Chin, J., did not participate.

George, C.J.  
Mosk, J.  
Kennard, J.  
Baxter, J.  
Werdegar, J.

S080201      PLCM Group, Inc., Respondent  
2nd Dist.      v.  
B110667      David Drexler, Appellant  
Div. 3      Dearborn Insurance Company et al., Respondents  
Appellant's petition for review GRANTED.

George, C.J.  
Mosk, J.  
Kennard, J.  
Baxter, J.  
Werdegar, J.  
Chin, J.

S080322      Wilson Curle, Petitioner  
3rd Dist.      v.  
C031822      Shasta County Superior Court, Respondent  
Andrew Madison Gleason et al., Real Parties in Interest  
Petition for review GRANTED.

George, C.J.  
Mosk, J.  
Kennard, J.  
Baxter, J.  
Werdegar, J.  
Chin, J.

S074001      In re Joseph Flores  
                 on  
                 Habeas Corpus

The Director of Corrections is ordered to show cause before the Los Angeles County Superior Court, when the matter is placed on calendar, why petitioner is not entitled to vacation of the trial court's true finding on the prior "strike" allegation and to resentencing in Case Number NA023211 in light of his claim, and the Attorney General's concession, that he is not the person who suffered the prior burglary conviction in Orange County Superior Court Case Number C41127. The return shall be filed on or before September 10, 1999.

George, C.J.  
Mosk, J.  
Kennard, J.  
Baxter, J.  
Werdegar, J.  
Chin, J.

2nd Dist.      People, Respondent  
B120837           v.  
Div. 4          Ricardo Martinez, Appellant  
S079623

Respondent's petition for review GRANTED. The matter is transferred to the Court of Appeal, Second Appellate District, Division Four, with directions to vacate its order denying respondent's petition for rehearing and to issue a new order granting the petition for rehearing. (Govt. Code § 68081.)

George, C.J.  
Kennard, J.  
Baxter, J.  
Werdegar, J.  
Chin, J.

S069783 People, Plaintiff and Respondent

v.

Jerry Garcia, Defendant and Appellant

THE COURT:

The opinion is modified. This modification does not affect the judgment.

S080548 Norman R. Vunck, Petitioner

v.

Court of Appeal, Sixth Appellate District, Respondent

August/Southwoods, ltd. et al., Real Parties in Interest

Application for stay, request for judicial notice and petition for writ of mandate DENIED.

S071818 In re Gary Wayne Smith

on

Habeas Corpus

Petition for writ of habeas corpus DENIED.

S076425 In re Anthony Starkes

on

Habeas Corpus

Petition for writ of habeas corpus DENIED without prejudice to (1) requesting a transcript of the habeas evidentiary hearing in the superior court under the authority of *Gardner v. California* (1969) 393 U.S. 367, and (2) refiling a habeas corpus petition in this court accompanied by the transcript.

S079552 In re Jon E. Clark

on

Habeas Corpus

Petition for writ of habeas corpus DENIED.

S079714 In re Robert John Franklin

on

Habeas Corpus

Petition for review DENIED.

1st Dist. People, Respondent  
A078383 v.  
Div. 3 Reynaldo Rivas, Appellant  
S079382 Appellant's petition for review DENIED.

1st Dist. People, Respondent  
A079102 v.  
Div. 4 Aaron Maurice Coleman, Appellant  
S080209 Appellant's petition for review DENIED.

1st Dist. People, Respondent  
A080379 v.  
Div. 3 Larry Dean Rhodes, Appellant  
S079769 Appellant's petition for review DENIED.

1st Dist. People, Respondent  
A081042 v.  
A085538 Jon E. Clark, Appellant  
Div. 2 -----  
S079550 In re Jon E. Clark on Habeas Corpus  
Petition for review DENIED.  
Mosk, J., and Kennard, J., are of the opinion the petition should  
be granted.

1st Dist. People, Respondent  
A081802 v.  
Div. 3 Marcel Ruben Powell, Appellant  
S080185 Appellant's petition for review DENIED.

1st Dist. People, Respondent  
A081868 v.  
Div. 4 Leonicio Meraz, Appellant  
S080323 Appellant's petition for review DENIED.

1st Dist. Johannes P. Van Vugt, Appellant  
A082056 v.  
A083598 Mel Anderson et al., Respondents  
Div. 1 Appellant's petition for review DENIED.  
S079665



1st Dist. People, Respondent  
A082384 v.  
Div. 4 Debra Lee Fisher, Appellant  
S080114 Appellant's petition for review DENIED.

1st Dist. Estate of Richard Edward Schulz, Deceased  
A082460 -----  
Div. 1 Stephanie Miller Schulz, Appellant  
S080312 v.  
Jennifer Schulz et al., Respondents  
Petition for review DENIED.

1st Dist. Louis A. Camacho et al., Appellants  
A082515 v.  
Div. 3 City and County of San Francisco et al., Respondents  
S080351 Appellants' petition for review DENIED.

1st Dist. People, Respondent  
A082633 v.  
Div. 1 Adrian K. Mitchell, Appellant  
S079329 Appellant's petition for review DENIED.

1st Dist. People, Respondent  
A082705 v.  
Div. 1 Darrell D. McClain, Appellant  
S079657 Appellant's petition for review DENIED.

1st Dist. People, Respondent  
A082747 v.  
Div. 4 Richard Lee James, Appellant  
S080154 Appellant's petition for review DENIED.

1st Dist. People, Respondent  
A083062 v.  
Div. 2 Charles William Dennis, Appellant  
S080163 Appellant's petition for review DENIED.

1st Dist. People, Respondent  
A083839 v.  
Div. 4 Jesus Chavez Ceja, Appellant  
S080181 Appellant's petition for review DENIED.

1st Dist. Angel Ortiz Diamond, Petitioner  
A087195 v.  
Div. 5 Alameda County Superior Court, Respondent  
S079825 Thelma Pearl Griffin, Real Party in Interest  
Petition for review DENIED.

1st Dist. Michael Steed, Petitioner  
A087342 v.  
Div. 2 San Mateo County Superior Court, Respondent  
S080183 Charles T. Black et al., Real Parties in Interest  
Petition for review DENIED.

2nd Dist. Stanley G. Auerbach et al., Appellants  
B108502 v.  
Div. 5 Los Angeles County Board of Supervisors et al., Respondents  
S079865 Petition for review DENIED.

2nd Dist. People, Respondent  
B108561 v.  
Div. 2 Gustavo Bolanos, Appellant  
S079762 Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B110273 v.  
Div. 7 Charles Edgar Rathbun, Appellant  
S079496 Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B110749 v.  
B121111 Marion H. Knight, Appellant  
Div. 7 -----  
S079512 In re Marion H. Knight on Habeas Corpus  
Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B111391 v.  
Div. 2 Sean Patrick Mitchell, Appellant  
S079478 Appellant's petition for review DENIED.  
Mosk, J., is of the opinion the petition should be granted.

2nd Dist. A. G. Layne et al., Respondents  
B111652 v.  
Div. 3 Lockheed Martin Corporation, Appellant  
S079773 Appellant's petition for review DENIED.

2nd Dist. Lisa Granberry et al., Appellants  
B113750 v.  
Div. 6 Islay Investments et al., Respondents  
S079466 Petition for review DENIED.

2nd Dist. People, Respondent  
B114721 v.  
Div. 5 Dale J. Jung et al., Appellants  
S079367 Appellants' petitions for review DENIED.

2nd Dist. People, Respondent  
B115317 v.  
Div. 6 Raven Love Edwards, Appellant  
S080216 Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B115826 v.  
Div. 3 Christopher Terrell Dickson et al., Appellants  
S080088 Appellants' petition for review DENIED.

2nd Dist. Gould & Bowers Spray, Appellant  
B116450 v.  
Div. 3 Associated International Insurance Company, Respondent  
S079607 Respondent's petition for review DENIED.  
Respondent's request for judicial notice is granted.  
The Association of California Insurance Companies' request for  
judicial notice is denied.  
The requests for an order directing depublication of the opinion  
are DENIED.

2nd Dist. Bruce Scott Keller et al., Appellants  
B116477 v.  
Div. 5 United Services Automobile Association, Respondent  
S080182 Petition for review DENIED.  
The request for an order directing publication of the opinion is DENIED.  
Kennard, J., is of the opinion the petition should be granted.

2nd Dist. Marybelle Egge, Appellant  
B116503 v.  
Div. 2 Composite Structures et al., Appellants  
S080096 International Association of Machinists, etc. et al., Respondents  
Petition for review DENIED.

2nd Dist. People, Respondent  
B116669 v.  
Div. 1 Jesus Solis Padilla, Appellant  
S080106 Respondent's petition for review DENIED.

2nd Dist. People, Respondent  
B118214 v.  
Div. 5 Jun S. Shim, Appellant  
S079400 Appellant's petition for review DENIED.

2nd Dist. Genevieve Silberman, Respondent  
B118521 v.  
Div. 1 Charles C. Y. Cheng, Appellant  
S080313 Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B118656 v.  
Div. 4 Noel Olshan, Appellant  
S078536 Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B118884 v.  
Div. 1 Justin Thomas Miller, Appellant  
S080070 Appellant's petition for review DENIED.

2nd Dist. B119295 Div. 7 S079402	People, Respondent v. Marcos S. Mendoza, Appellant Appellant's petition for review DENIED.
2nd Dist. B119925 Div. 6 S079334	Joan Yates, Appellant v. Southern California Permanente Medical Group et al., Respondents Appellant's petition for review DENIED.
2nd Dist. B120128 Div. 5 S079394	Laurence I. Bernstein, Respondent v. ABC International Traders Incorporated, Appellant Appellant's petition for review DENIED.
2nd Dist. B120168 Div. 3 S080058	People, Respondent v. Tyrone Nelson, Appellant Appellant's petition for review DENIED.
2nd Dist. B120171 Div. 5 S080084	People, Respondent v. Derek Todd Fullbright, Appellant Appellant's petition for review DENIED.
2nd Dist. B120418 Div. 7 S080299	People, Respondent v. Dennis Ray Conrad, Appellant Appellant's petition for review DENIED.
2nd Dist. B120531 Div. 7 S080115	People, Respondent v. Santos Valenzuela, Appellant Appellant's petition for review DENIED.
2nd Dist. B120849 Div. 3 S080164	Benny Bryant et al., Appellants v. Beach Cities Dialysis et al., Respondents Appellants' petition for review DENIED.

2nd Dist. B120912 Div. 5 S079343	People, Respondent v. Donald Armando Brown, Appellant Appellant's petition for review DENIED.
2nd Dist. B121110 Div. 6 S079751	Francisco Aguayo, Appellant v. Saticoy Lemon Association et al., Respondents Petition for review DENIED.
2nd Dist. B121198 1st Dist. S080124	People, Respondent v. Roberto Saucedo, Appellant Appellant's petition for review DENIED.
2nd Dist. B121227 Div. 1 S080170	People, Respondent v. Donsha D. Jackson, Appellant Appellant's petition for review DENIED.
2nd Dist. B121297 Div. 1 S080295	People, Respondent v. Alfonso M. Medina, Appellant Appellant's petitions for review DENIED.
2nd Dist. B121349 Div. 4 S080165	Robert Benowitz et al., Respondents v. Louisa Cira Castro Netto, Appellant Petition for review and request for judicial notice DENIED.
2nd Dist. B121416 Div. 5 S076711	Donald Dupre, Appellant v. City of Los Angeles, Respondent Appellant's petition for review DENIED.
2nd Dist. B121499 Div. 4 S080128	People, Appellant v. Gregory D. Brown, Respondent Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B121502 v.  
Div. 5 Anthony A. Duran, Appellant  
S079533 Respondent's petition for review DENIED.

2nd Dist. People, Respondent  
B122575 v.  
Div. 7 Frederick Walter Crippen, Appellant  
S080430 Petitions for review DENIED.

2nd Dist. People, Respondent  
B122656 v.  
Div. 1 Allan Lobos, Appellant  
S080221 Petitions for review DENIED.

2nd Dist. People, Respondent  
B122820 v.  
Div. 3 Malcolm Dwayne Jones, Appellant  
S080059 Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B122830 v.  
Div. 1 Jon Michael Roy, Appellant  
S080213 Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B123020 v.  
Div. 2 Rudy P. Villa, Appellant  
S080310 Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B123169 v.  
Div. 6 David Jamel Maldonado, Appellant  
S079572 Appellant's petition for review DENIED.

2nd Dist. Douglas W. Dahmen, Appellant  
B123217 v.  
Div. 6 Bunnell H. Richards et al., Respondents  
S079673 Appellant's petition for review DENIED.

2nd Dist. Jason W. Perrault, Appellant  
B123427 v.  
Div. 2 University of Southern California et al., Respondents  
S080046 Petition for review DENIED.

2nd Dist. People, Respondent  
B123548 v.  
Div. 2 Littlejohn Perry, Appellant  
S080069 Appellant's petition for review DENIED.

2nd Dist. City of Burbank et al., Appellants  
B123632 v.  
Div. 7 Burbank-Glendale-Pasadena Airport Authority, Respondent  
S079712 Petition for review DENIED.

2nd Dist. Burbank-Glendale-Pasadena Airport Authority, Respondent  
B123635 v.  
Div. 7 City of Burbank et al., Appellants  
S079711 Petition for review DENIED.

2nd Dist. Michael Meyer, Appellant  
B124905 v.  
Div. 6 Secured Investment Advisors Inc. et al., Respondents  
S079545 Respondents' petition for review DENIED.

2nd Dist. People, Respondent  
B124932 v.  
Div. 1 Jody Lane Peoples, Appellant  
S080224 Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B125146 v.  
Div. 4 Enrique Lopez, Appellant  
S080257 Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B125751 v.  
Div. 6 Joe L. Cervantes, Appellant  
S080232 Appellant's petition for review DENIED.



2nd Dist. In re Larrissa Daniele W. et al., Minors  
B125928 -----  
Div. 6 San Luis Obispo County Dept. of Social Service, etc., Respondent  
S079877 v.  
Melissa W., Appellant  
Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B125992 v.  
Div. 1 Robert Rivera, Appellant  
S080120 Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B126731 v.  
Div. 1 Enrique A. Rodriguez, Appellant  
S080282 Petitions for review DENIED.

2nd Dist. Joseph Leo Benton, Petitioner  
B127448 v.  
Div. 2 Los Angeles County Superior Court, Respondent  
S080193 Leigh Ann Benton, Real Party in Interest  
Petition for review DENIED.  
The request for an order directing publication of the opinion is  
DENIED.

2nd Dist. People, Respondent  
B128461 v.  
Div. 6 Steven Scott Baggett, Appellant  
S080289 Appellant's petition for review DENIED.

2nd Dist. Alan Nguyen, Petitioner  
B130900 v.  
Div. 1 Workers' Compensation Appeals Board, Respondent  
S079286 Employers Ins. of Wassau Konica Buxiness Machines, Respondent  
Petition for review DENIED.

2nd Dist. Hartford Insurance Company of the Midwest, Petitioner  
B131139 v.  
Div. 1 Los Angeles County Superior Court, Respondent  
S079344 Scott M. Lomes, Real Party in Interest  
Petition for review DENIED.

2nd Dist. Alaba O. Awofolu, Petitioner  
B131513 v.  
Div. 4 Los Angeles County Superior Court, Respondent  
S079869 Regents of the University of California, Real Party in Interest  
Petition for review DENIED.

2nd Dist. Cucina Holdings Inc., Petitioner  
B132228 v.  
Div. 1 Los Angeles County Superior Court, Respondent  
S079746 Rosalie T. Dimatteo, Real Party in Interest  
Petition for review DENIED.

2nd Dist. Group W Productions Incorporated et al., Petitioners  
B132417 v.  
Div. 5 Los Angeles County Superior Court, Respondent  
S079820 Ruth Shulman et al., Real Parties in Interest  
Petition for review and request for judicial notice DENIED.

2nd Dist. In re Terry Lee Ballard  
B132478 on  
Div. 1 Habeas Corpus  
S080252 Petition for review DENIED.

2nd Dist. Chauh Miuh Dang, Petitioner  
B132696 v.  
Div. 4 Los Angeles County Superior Court, Respondent  
S080467 People, Real Party in Interest  
Petition for review DENIED.

2nd Dist. In re Vester L. Patterson  
B132783 on  
Div. 7 Habeas Corpus  
S080306 Petition for review DENIED. (*In re Miller* (1941) 17 Cal.2d 734,  
735.)

3rd Dist. People, Respondent  
C024539 v.  
S079294 Joseph Irving Middlesworth, Appellant  
Appellant's petition for review DENIED.

3rd Dist. People, Respondent  
C025305 v.  
S079469 William Joseph Bryan, Appellant  
Appellant's petition for review DENIED.  
Kennard, J., is of the opinion the petition should be granted.

3rd Dist. People, Respondent  
C026990 v.  
S079593 Charles John Trautwein, Appellant  
Appellant's petition for review DENIED.

3rd Dist. People, Respondent  
C027355 v.  
S080278 Jackie Kirk Stewart, Appellant  
Appellant's petition for review DENIED.

3rd Dist. People, Respondent  
C027801 v.  
S079283 Louie Mendez Hammonds, Appellant  
Appellant's petition for review DENIED.

3rd Dist. People, Respondent  
C028142 v.  
S080315 Scott Phillip Hockey, Appellant  
Appellant's petition for review DENIED.

3rd Dist. Robert Brown et al., Cross-Complainants and Respondents  
C028302 v.  
S079549 State Compensation Insurance Fund, Cross-Defendant and Appellant  
Respondents' petition for review DENIED.

3rd Dist. Gayle Park, Respondent  
C028308 v.  
S079816 Imperial Bank, Appellant  
Appellant's petition for review DENIED.

3rd Dist. Construction Industry Force Account Council et al., Appellants  
C028540 v.  
S079594 Amador Water Agency, Respondent  
Appellants' petition for review DENIED.

3rd Dist. People, Respondent  
C028929 v.  
S079609 Michael Bazley, Appellant  
Appellant's petition for review DENIED.

3rd Dist. In re Joshua Mark Jones on Habeas Corpus  
C029336 -----  
C031663 People, Respondent  
S080087 v.  
Joshua Jones, Appellant  
Appellant's petition for review DENIED.

3rd Dist. People, Respondent  
C029414 v.  
S080139 Robert Earl Browne, Appellant  
Appellant's petition for review DENIED.

3rd Dist. People, Respondent  
C029506 v.  
S080140 Kelley Lee Scherer, Appellant  
Appellant's petition for review DENIED.

3rd Dist. People, Respondent  
C029526 v.  
S080261 Eddie Rivera, Appellant  
Appellant's petition for review DENIED.

3rd Dist. People, Respondent  
C029686 v.  
S080222 Agustin J. Ybarbo, Appellant  
Appellant's petition for review DENIED.

3rd Dist. C031120 S079971	In re Cebron N. et al., a Persons Coming Under the Juvenile Court Law ----- San Joaquin County Human Services Agency, Respondent v. Faye S., Appellant Petition for review DENIED.
3rd Dist. C031472 S079887	In re Jessica F., a Person Coming Under the Juvenile Court Law ----- Department of Health & Human Services, Respondent v. Tiffany S., Appellant Petition for review DENIED.
3rd Dist. C032417 S079787	Patrick Heaney, Petitioner v. Workers' Compensation Appeals Board et al., Real Parties in Interest Petition for review DENIED.
3rd Dist. C032779 S080020	David Adam Kasakove, Petitioner v. Butte County Superior Court, Respondent People, Real Party in Interest Petition for review DENIED.
3rd Dist. C032928 S080538	Lavester Oliver, Petitioner v. Sacramento County Superior Court, Respondent People, Real Party in Interest Application for stay and petition for review DENIED.
4th Dist. D027807 Div. 1 S080406	Janet G. Johnson et al., Appellants v. San Diego Metropolitan Transit Development Board et al., Petition for review DENIED.

- 4th Dist. Raymond Valenzuela et al., Appellants  
D028529 v.  
Div. 1 GAB Business Services et al., Respondents  
S079453 Petitions for review DENIED.  
The Reporter of Decisions is directed not to publish in the Official Appellate Reports the opinion in the above-entitled appeal, filed April 28, 1999, which appears at 71 Cal.App. 935. (Cal. Const., art. VI, section 14; rule 976, Cal. Rules of Court.)
- 4th Dist. People, Respondent  
D029350 v.  
Div. 1 Steven Joe Fulleton, Appellant  
S079438 Appellant's petition for review DENIED.
- 4th Dist. In re Ernesto Arnaldo Rubalcava on Habeas Corpus  
D029404 -----  
D031550 People, Respondent  
Div. 1 v.  
S079567 Ernesto Arnaldo Rubalcava, Appellant  
Appellant's petition for review DENIED.
- 4th Dist. Minh Tran et al., Appellants  
D029542 v.  
Div. 1 Magicstix Billiards et al., Respondents  
S079932 Petition for review DENIED.
- 4th Dist. People, Respondent  
D029818 v.  
Div. 1 Thaddeus James Boudreaux, Appellant  
S080236 Appellant's petition for review DENIED.
- 4th Dist. In re Frederick G., a Person Coming Under the Juvenile Court Law  
D029845 -----  
Div. 1 People, Respondent  
S079562 v.  
Frederick G., Appellant  
Respondent's petition for review DENIED.  
Kennard, J., and Baxter, J., are of the opinion the petition should be granted.

4th Dist. People, Respondent  
D029891 v.  
D032708 Victor Navarro, Appellant  
Div. 1 -----  
S079720 In re Victor Navarro on Habeas Corpus  
Appellant's petition for review DENIED.

4th Dist. People, Respondent  
D030100 v.  
Div. 1 John C. Wallace, Appellant  
S080142 Appellant's petition for review DENIED.

4th Dist. People, Respondent  
D030134 v.  
Div. 1 Samin M. Parwana, Appellant  
S080292 Appellant's petition for review DENIED.

4th Dist. People, Respondent  
D030316 v.  
Div. 1 Arnold Lamont Johnson, Appellant  
S080414 Appellant's petition for review DENIED.

4th Dist. People, Respondent  
D030321 v.  
Div. 1 Stanley Ray Clayton, Appellant  
S079693 Appellant's petition for review DENIED.

4th Dist. People, Respondent  
D030558 v.  
Div. 1 Michael Donovan Hash, Appellant  
S080141 Appellant's petition for review DENIED.

4th Dist. People, Respondent  
D030607 v.  
Div. 1 Timothy Allen Ratigan, Appellant  
S079797 Appellant's petition for review DENIED.

4th Dist. People, Appellant  
D030693 v.  
Div. 1 Vernell Gillard, Respondent  
S080421 Appellant's petition for review DENIED.

4th Dist. People, Respondent  
D030751 v.  
Div. 1 William Troy Ellis, Appellant  
S079723 Appellant's petition for review DENIED.  
Mosk, J., is of the opinion the petition should be granted.

4th Dist. People, Respondent  
D030829 v.  
Div. 1 Herbert Head, Appellant  
S080409 Appellant's petition for review DENIED.

4th Dist. People, Respondent  
D031019 v.  
Div. 1 Rocky Lee Thomas, Appellant  
S080356 Appellant's petition for review DENIED.

4th Dist. People, Respondent  
D031066 v.  
Div. 1 Edgar Castaneda, Appellant  
S080293 Appellant's petition for review DENIED.

4th Dist. People, Respondent  
D031241 v.  
Div. 1 Erick Silva, Appellant  
S079515 Appellant's petition for review DENIED.

4th Dist. People, Respondent  
D031330 v.  
Div. 1 Victor Taylor, Appellant  
S080212 Appellant's petition for review DENIED.

4th Dist. People, Respondent  
D031466 v.  
Div. 1 Maurisio Vergara Barrera, Appellant  
S080359 Appellant's petition for review DENIED.



4th Dist. D031763 Div. 1 S080123	People, Respondent v. Derrick Robert Hunter, Appellant Appellant's petition for review DENIED.
4th Dist. D031955 Div. 1 S079884	In re Jesse C., Persons Coming Under the Juvenile Court Law ----- San Diego Co. Health and Human Services Agency, Respondent v. Jesse C. et al., Appellants Petition for review DENIED. Mosk, J., is of the opinion the petition should be granted. The requests for an order directing depublication of the opinion are DENIED.
4th Dist. D032449 Div. 1 S080239	People, Respondent v. Michael Wayne Johnson, Appellant Appellant's petition for review DENIED.
4th Dist. D033589 Div. 1 S080162	Harold M. Brody, Petitioner v. San Diego County Superior Court, Respondent Eastridge Condominium Corporation, Real Party in Interest Petition for review DENIED.
4th Dist. E019498 Div. 2 S080161	People, Respondent v. Remigio Godoy Magana, Appellant Appellant's petition for review DENIED.
4th Dist. E020779 Div. 2 S079420	People, Respondent v. Aaron Yost, Appellant Appellant's petition for review DENIED.
4th Dist. E020971 Div. 2 S079305	People, Respondent v. Roderick Gernard Stewart, Appellant Appellant's petition for review DENIED.

4th Dist. B. D. Maheshwari, Appellant  
E021465 v.  
Div. 2 Bank of San Bernardino, Respondent  
S079881 Petition for review DENIED.

4th Dist. People, Respondent  
E022046 v.  
Div. 2 Andre Hayward, Appellant  
S080073 Appellant's petition for review DENIED.

4th Dist. People, Respondent  
E022196 v.  
Div. 2 Roger Alan Kunce, Appellant  
S080311 Appellant's petition for review DENIED.

4th Dist. People, Respondent  
E022266 v.  
Div. 2 Ty Allen Harris, Appellant  
S080309 Appellant's petition for review DENIED.

4th Dist. People, Respondent  
E022292 v.  
Div. 2 Carnel E. Riley, Appellant  
S080117 Appellant's petition for review DENIED.

4th Dist. James L. Beckett et al., Appellants  
E022364 v.  
Div. 2 City of Colton et al., Respondents  
S080076 Inland Composting & Organic Recycling, Respondent  
Appellants' petition for review DENIED.  
The request for an order directing publication of the opinion is  
DENIED.

4th Dist. People, Respondent  
E022403 v.  
Div. 2 Frederick Douglas Henry Jr., Appellant  
S079491 Appellant's petition for review DENIED.

4th Dist. People, Respondent  
E022477 v.  
Div. 2 Dennis E. Chernob, Appellant  
S080126 Appellant's petition for review DENIED.

4th Dist. People, Respondent  
E022592 v.  
Div. 2 Eric Neal, Appellant  
S080291 Appellant's petition for review DENIED.

4th Dist. Department of Alcoholic Beverage Control Board, Petitioner  
E022984 v.  
E023008 Alcoholic Beverage Control Appeals Board, etc. et al., Respondents  
Div. 2 Anheuser-Busch Incorporated, Respondent  
S079862 And Companion Case  
Petition for review DENIED.  
Baxter, J., and Kennard, J., are of the opinion the petition should be granted.

4th Dist. County of Riverside, Petitioner  
E024872 v.  
Div. 2 Workers' Compensation Appeals Board, Respondent  
S079220 Petition for review DENIED.

4th Dist. Larry David Myers, Petitioner  
E025073 v.  
Div. 2 Riverside County Superior Court, Respondent  
S080045 Kathleen Stringer et al., Real Parties in Interest  
Petition for review DENIED.  
Mosk, J., is of the opinion the petition should be granted.

4th Dist. Bruno Scherrer Corporation, Appellant  
G017774 v.  
G019570 Superior National Insurance Company, Appellant  
Div. 3 Petitions for review DENIED.  
S079404

4th Dist. G018896 Div. 3 S080302	People, Respondent v. Richard Aguilar, Appellant Appellant's petition for review DENIED.
4th Dist. G020495 Div. 3 S080072	Redevelopment Agency of the City of Perris, Appellant v. Korea First Bank Orange County Agency, Respondent Respondent's petition for review DENIED.
4th Dist. G020713 Div. 3 S080169	Joseph W. Fairfield, Appellant v. John Thomas, Respondent Appellant's petition for review DENIED.
4th Dist. G020805 Div. 3 S079735	People, Respondent v. Rafael Lispier, Appellant Appellant's petition for review DENIED.
4th Dist. G021076 G023013 Div. 3 S080308	In re Clifford Dale Keller on Habeas Corpus ----- People, Respondent v. Clifford Dale Keller, Appellant Appellant's petition for review DENIED.
4th Dist. G021077 Div. 3 S079316	People, Respondent v. Richard Bennet, Appellant Appellant's petition for review DENIED.
4th Dist. G022022 Div. 3 S080144	People, Respondent v. Rafael Marin Salgado, Appellant Appellant's petition for review DENIED.

4th Dist. People, Respondent  
G022123 v.  
Div. 3 Darryl Leo Brothers, Appellant  
S080251 Appellant's petition for review DENIED.

4th Dist. People, Respondent  
G022246 v.  
Div. 3 Brian Jentsch, Appellant  
S080277 Appellant's petition for review DENIED.

4th Dist. People, Respondent  
G022279 v.  
Div. 3 Gregory Moncrief, Appellant  
S080189 Appellant's petition for review DENIED.

4th Dist. People, Respondent  
G022284 v.  
Div. 3 Hector Arturo Lopez-Alcocer, Appellant  
S080290 Appellant's petition for review DENIED.

4th Dist. People, Respondent  
G022285 v.  
Div. 2 Arturo Gomez, Appellant  
S079734 Appellant's petition for review DENIED.

4th Dist. People, Respondent  
G022347 v.  
Div. 3 Jose Grano Gonzales, Appellant  
S080089 Appellant's petition for review DENIED.

4th Dist. Arvind K. Garg, Appellant  
G022369 v.  
Div. 3 Judy Lopez et al., Appellants  
S080266 Appellant's petition for review DENIED.

4th Dist. People, Respondent  
G022407 v.  
Div. 3 Isaac Ortega, Appellant  
S080077 Appellant's petition for review DENIED.

4th Dist. G022808 Div. 3 S080298	People, Respondent v. Arthur Phillip Green, Appellant Appellant's petition for review DENIED.
4th Dist. G023333 Div. 3 S080057	People, Respondent v. Charles Edward Woodbury, Jr., Appellant Appellant's petition for review DENIED.
4th Dist. G023534 Div. 3 S080175	People, Respondent v. Jose Luis Martinez, Appellant Appellant's petition for review DENIED.
4th Dist. G023857 Div. 3 S080372	In re Marissa A., a Person Coming Under the Juvenile Court Law ----- Orange County Social Services Agency, Respondent v. Rachelle Y. et al., Appellants Petition for review DENIED.
4th Dist. G025115 Div. 3 S079707	Times Warner/Paragaon Cable et al., Petitioners v. Workers' Compensation Appeals Board, Respondent David Miller, Respondent Petition for review DENIED.
4th Dist. G025276 Div. 3 S079709	San Diego Watercrafts Inc., Petitioner v. Orange County Superior Court, Respondent Wells Fargo Bank, Real Party in Interest Petition for review DENIED. Baxter, J., did not participate.
4th Dist. G025370 Div. 3 S080347	Washington Mutual Bank, Petitioner v. Orange County Superior Court, Respondent Jayne A. Briseno, Real Party in Interest Petition for review DENIED.

4th Dist. World Savings and Loan Association, Petitioner  
G025521 v.  
Div. 3 Orange County Superior Court, Respondent  
S080365 Harry Gibson, Real Party in Interest  
Petition for review DENIED.

5th Dist. Joanne Eivaz et al., Appellants  
F026413 v.  
S079745 Douglas Neibauer et al., Respondents  
Appellants' petition for review DENIED.

5th Dist. People, Respondent  
F027206 v.  
S079275 Lee Morris Jones, Appellant  
Appellant's petition for review DENIED.  
The request for an order directing publication of the opinion is  
DENIED.  
Mosk, J., and Kennard, J., are of the opinion the petition should  
be granted.

5th Dist. People, Respondent  
F027426 v.  
S080168 Thomas Williams Reams, Appellant  
Appellant's petition for review DENIED.

5th Dist. People, Respondent  
F027805 v.  
S080211 Edward Andrew Williams, Appellant  
Appellant's petition for review DENIED.

5th Dist. In re Ben Santa on Habeas Corpus  
F028281 -----  
F030704 People, Respondent  
S079653 v.  
Ben Santana, Appellant  
Appellant's petition for review DENIED.

5th Dist. People, Respondent  
F028820 v.  
S080258 Ismael Lucas Wiggins, Appellant  
Appellant's petition for review DENIED.

5th Dist. People, Respondent  
F028925 v.  
S080240 Harond Jerome Williams, Appellant  
Appellant's petition for review DENIED.

5th Dist. People, Respondent  
F030249 v.  
S080146 Carl Jones, Appellant  
Appellant's petition for review DENIED.

5th Dist. People, Respondent  
F030328 v.  
S080125 Leslie A. Merrida, Appellant  
Appellant's petition for review DENIED.

5th Dist. In re Robert F., a Person Coming Under the Juvenile Court Law  
F031023 -----  
S079439 People, Respondent  
v.  
Robert F., Appellant  
Petition for review DENIED.

5th Dist. Jonathan Michael Rains, Petitioner  
F033261 v.  
S079911 Fresno County Superior Court, Respondent  
People, Real Party in Interest  
Petition for review DENIED.

6th Dist. People, Respondent  
H016560 v.  
S079578 William Warren Reynolds, Appellant  
Appellant's petition for review DENIED.  
Mosk, J., is of the opinion the petition should be granted.



6th Dist. People, Respondent  
H016785 v.  
S079793 Thomas Bradley Sorby, Appellant  
Appellant's petition for review DENIED.

6th Dist. People, Respondent  
H017903 v.  
S080053 James Edward McCowan, Appellant  
Appellant's petition for review DENIED.

6th Dist. People, Respondent  
H017977 v.  
S080129 Michael Robert Weldon, Appellant  
Appellant's petition for review DENIED.

6th Dist. People, Respondent  
H018464 v.  
S080145 Mike Emery Tichy, Appellant  
Appellant's petition for review DENIED.

6th Dist. People, Respondent  
H019320 v.  
S079661 Richard Louis Sanchez, Appellant  
Appellant's petition for review DENIED.

6th Dist. In re Robert Thomas Twilligear  
H019354 on  
S078999 Habeas Corpus  
Petition for review DENIED.

6th Dist. In re Leilani G.  
H020102 on  
S079894 Habeas Corpus  
Petition for review DENIED.

- S079384      Mena America Bank, Respondent  
                 v.  
                 Abdul-Fattah J. Abdul-Hafiz, Appellant  
                 The request for an order directing publication of the opinion in  
                 the above entitled cause is DENIED.
- 1st Dist.      California Consumers, Appellant  
A083131      v.  
Div. 1      Pacific Bell, Respondent  
S078903      The request for an order directing publication of the opinion in  
                 the above entitled cause is DENIED.
- 1st Dist.      Transdyn/Cresci A Joint Venture, Appellant  
A084042      v.  
Div. 2      City and County of San Francisco et al., Respondents  
S080147      The request for an order directing depublication of the opinion in  
                 the above entitled cause is DENIED.
- 2nd Dist.      Lloyd Berry et al., Appellants  
B120087      v.  
Div. 2      National Railroad Passenger Corporation, Respondent  
S079000      The request for an order directing publication of the opinion in  
                 the above entitled cause is DENIED.
- 2nd Dist.      Lynn M. Miles, Appellant  
B120729      v.  
Div. 3      Daniel David Miles, Respondent  
S079960      Shirley Miles et al., Respondents  
                 The request for an order directing publication of the opinion in  
                 the above entitled cause is DENIED.
- 2nd Dist.      In re Liza Brown  
B128995      on  
Div. 1      Habeas Corpus  
S080017      The request for an order directing publication of the opinion in  
                 the above entitled cause is DENIED.

- 2nd Dist.      Bolsa Chica Land Trust et al., Petitioners  
D029461          v.  
Div. 1          San Diego County Superior Court, Respondent  
S079851      Bolsa Chica Land Trust et al., Real Parties in Interest  
                 The requests for an order directing depublication of the opinion  
                 in the above entitled cause are DENIED.
- S078178      In re the Accusation of Gary Hobson  
                 Against Certain Attorney(s)  
                 Petition DENIED.
- S078348      In re the Accusation of Anthony Lamar Webb  
                 Against Certain Attorney(s)  
                 Petition DENIED.
- S078694      In re the Accusation of Alejandro Ordonez  
                 Against Certain Attorney(s)  
                 Petition DENIED.
- S079774      In re the Accusation of Sol Teitelbaum  
                 Against Certain Attorney(s)  
                 Petition DENIED.
- S079898      In re the Accusation of Richard P. McWilliam  
                 Against Certain Attorney(s)  
                 Petition DENIED.
- S079968      In re the Accusation of Genice King  
                 Against Certain Attorney(s)  
                 Petition DENIED.
- S080397      In re the Accusation of Gennie Gallardo  
                 Against Certain Attorney(s)  
                 Petition DENIED.
- S080505      In re the Accusation of Timothy Young  
                 Against Certain Attorney(s)  
                 Petition DENIED.

- S080710      In re the Accusation of Erwin L. Green  
                 Against Certain Attorney(s)  
                 Petition DENIED.
- S011960      People, Respondent  
                 v.  
                 Cynthia Coffman and James Gregory Marlow, Appellants  
                 On application of respondent and good cause appearing, it is  
                 ordered that the time to serve and file respondent's brief is extended  
                 to and including September 1, 1999.
- S024833      People, Respondent  
                 v.  
                 Richard Wade Farley, Appellant  
                 On application of appellant and good cause appearing, it is  
                 ordered that the time to serve and file appellant's opening brief is  
                 extended to and including August 18, 1999.
- S032736      People, Respondent  
                 v.  
                 Maurice Boyette, Appellant  
                 On application of appellant and good cause appearing, it is  
                 ordered that the time to serve and file appellant's opening brief is  
                 extended to and including August 18, 1999.  
                 No further extensions of time will be granted.
- S033975      People, Respondent  
                 v.  
                 Michael Stephen Combs, Appellant  
                 On application of appellant and good cause appearing, it is  
                 ordered that the time to serve and file appellant's opening brief is  
                 extended to and including October 5, 1999.
- S038073      People, Respondent  
                 v.  
                 Abelino Manriquez, Appellant  
                 On application of appellant and good cause appearing, it is  
                 ordered that the appellant is granted to and including October 5,  
                 1999, to request correction of the record on appeal. Counsel for

appellant is ordered to notify the Clerk of the Supreme Court in writing as soon as the act as to which the Court has granted an extension of time has been completed.

No further extensions of time are contemplated.

S072693     In re Michael Hill  
                 on  
                 Habeas Corpus

On application of petitioner and good cause appearing, it is ordered that the time to serve and file petitioner's reply to informal response to the petition for writ of habeas corpus is extended to and including September 8, 1999.

S076167     Roberto Cruz et al., Appellants  
                 v.  
                 John Briseno et al., Respondents

On application of appellants and good cause appearing, it is ordered that the time to serve and file appellants' answer brief on the merits is extended to and including September 23, 1999.

S078755     People, Respondent  
                 v.  
                 Joey Porfirio Baca, Appellant

Upon request of appellant for appointment of counsel, Horace Freedman is hereby appointed to represent appellant on his appeal now pending in this court.

S081173     M. David Wertheimer, Petitioner  
                 v.  
                 Los Angeles County Municipal Court, Respondent  
                 Los Angeles County District Attorney's Office, Real Party in Interest

The above-entitled matter is transferred to the Court of Appeal, Second Appellate District, Division Four, for consideration in light of *Hagan v. Superior Court* (1962) 57 Cal.2d 767. In the event the Court of Appeal determines that this petition is substantially identical to a prior petition, the repetitious petition shall be denied.

S081252 Mark Bowersock, Petitioner

v.

Los Angeles County Superior Court, Respondent  
People, Real Party in Interest

The above-entitled matter is transferred to the Court of Appeal,  
Second Appellate District.

Bar  
Misc.  
4186

In the Matter of the Application of the Committee of Bar Examiners  
of the State of California for Admission of Attorneys

The written motion of the Committee of Bar Examiners that the  
following named applicants, who have fulfilled the requirements for  
admission to practice law in the State of California, be admitted to  
the practice of law in this state is hereby granted, with permission to  
the applicants to take the oath before a competent officer at another  
time and place:

(LIST OF NAMES ATTACHED TO ORIGINAL ORDER)

S078346 In re **Thomas McReynolds Jones** on Discipline

Petition for writ of review is denied.

It is ordered that **Thomas McReynolds Jones** be suspended from  
the practice of law for four years, that execution of suspension be  
stayed, and that he be placed on probation for four years on  
condition that he be actually suspended for 24 months and until he  
has shown proof satisfactory to the State Bar Court of his  
rehabilitation, fitness to practice and learning and ability in the  
general law pursuant to standard 1.4(c)(ii), Standards for Attorney  
Sanctions for Professional Misconduct, and until he makes  
restitution to Bill and Dianna Phifer or the Client Security Fund (if  
appropriate) in the amount of \$10,341.50, plus 10% interest per  
annum from March 7, 1995, and furnishes satisfactory proof thereof  
to the Probation Unit, State Bar Office of of the Chief Trial Counsel.  
He is further ordered to comply with the other conditions of  
probation recommended by the Hearing Department of the State Bar  
Court in its decision filed January 26, 1999. It is also ordered that  
he take and pass the Multistate Professional Responsibility  
Examination during the period of his actual suspension. (See  
*Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) He is further  
ordered to comply with rule 955, California Rules of Court, and  
perform the acts specified in

subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.\* Costs are awarded to the State Bar pursuant to Business and Professions Code section 6086.10.

\*(See Business & Professions Code, § 6126, subd. (c).)

S079450 In re **Laura Beth Salant** on Reinstatement

Petition for writ of review DENIED.

It is ordered that **Laura Beth Salant** be reinstated as a member of the State Bar of California upon payment of the fees and taking the oath required by law.

S080918 In the Matter of the Resignation of **Harry Edward Weiss**  
A Member of the State Bar of California

The voluntary resignation of **Harry Edward Weiss** as a member of the State Bar of California is accepted without prejudice to further proceedings in any disciplinary proceeding pending against him should he hereafter seek reinstatement. It is ordered that he comply with rule 955, California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 60 and 70 days, respectively, after the date this order is filed.\* Costs are awarded to the State Bar.

\*(See Business & Professions Code, § 6126, subd. (c).)

105718-  
99

THE HONORABLE ZERNE P. HANING III, Associate Justice of the Court of Appeal, First Appellate District, Division Five, is hereby assigned to assist the Supreme Court of California as a justice thereof, on August 11, 1999, and until completion and disposition of all causes and matters submitted pursuant to this assignment including, if necessary by reason of a vacancy or disqualification of a Supreme Court justice, petitions for rehearing arising out of such causes and matters.

Dated: August 11, 1999

Ronald M. George  
Chief Justice of California and  
Chairperson of the Judicial Council

105719-  
99

THE HONORABLE RICHARD D. HUFFMAN, Associate Justice of the Court of Appeal, Fourth Appellate District, Division One, is hereby assigned to assist the Supreme Court of California as a justice thereof, on August 11, 1999, and until completion and disposition of all causes and matters submitted pursuant to this assignment including, if necessary by reason of a vacancy or disqualification of a Supreme Court justice, petitions for rehearing arising out of such causes and matters.

Dated: August 11, 1999

Ronald M. George  
Chief Justice of California and  
Chairperson of the Judicial Council



